

HAWAII STATE

HOUSE OF REPRESENTATIVES

REGULAR SESSION OF 2011

MINI JOURNAL

FLOOR REMARKS TO BE INSERTED

FIRST DAY

JANUARY 19, 2011

OFFICE OF THE CHIEF CLERK

A handwritten signature in black ink, appearing to be a stylized 'P' or 'B' with a flourish.

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*The **Mini Journal** is produced for each legislative day and shows all action which took place on the Chamber Floor, including all bills and resolutions introduced, referrals, readings, all motions and votes, and Governor's Messages and other Communications. The Mini Journal does not include verbatim floor remarks or announcements made.*

The Mini Journal is generally available the next legislative day following each day's session and may be obtained at the House Printshop.

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THE
 TWENTY-SIXTH LEGISLATURE
 STATE OF HAWAII
 REGULAR SESSION OF 2011
 JOURNAL OF THE HOUSE

FIRST DAY

Wednesday, January 19, 2011

In accordance with the provisions of Section 10 of Article III of the Constitution of the State of Hawaii, the House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2011, convened at 10:04 o'clock a.m.

The Honorable Mark M. Nakashima, being the Representative who was elected from the First Representative District of the State of Hawaii, called the House to order at 10:04 o'clock a.m.

The Members of the House, guests, and audience rose for the singing of the National anthem which was led by Ms. Jenni Panoncial, followed by *Hawaii Pono'i* which was led by Mr. Sean Na'auao. Thereafter the Pledge of Allegiance was led by Master Makoa Paresa, a student at University Lab School and youngest son of Lon and Marie Paresa.

The invocation was then delivered by Kahu Kamaki Kanahele.

INTRODUCTION OF RESOLUTION

The following resolution (H.R. No. 1) was read by the Temporary Clerk and was disposed of as follows:

H.R. No. 1, entitled: "HOUSE RESOLUTION ELECTING THE TEMPORARY CHAIR OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-SIXTH LEGISLATURE," declaring the Honorable Mark M. Nakashima, Representative from the First District, as the duly elected Temporary Chair of the House of Representatives of the Twenty-Sixth Legislature, was jointly offered by Representatives Takumi, Evans and Wooley.

On motion by Representative B. Oshiro, seconded by Representative Ward and carried, H.R. No. 1 was adopted.

Representative Nakashima then stated:

"Members of the House of Representatives of the Twenty-Sixth State Legislature, I am honored to serve as your Temporary Chair this morning. Thank you. Let us commence with the Order of the Day."

The Temporary Chair appointed Ms. Patricia Mau-Shimizu as Temporary Clerk of the House of Representatives.

The Temporary Chair then called upon Representative B. Oshiro for the report of the Committee on Credentials.

SPECIAL COMMITTEE REPORT

Representative B. Oshiro, for the Committee on Credentials, presented a report (Spec. Com. Rep. No. 1) as follows:

"Your Committee on Credentials begs leave to report that it has thoroughly considered the matter of the seating of the members elect of the House of Representatives of the Twenty-sixth Legislature of the State of Hawaii, Regular Session of 2011, and finds that, based on the certificates of election issued by the Office of Elections (attached), the members-elect

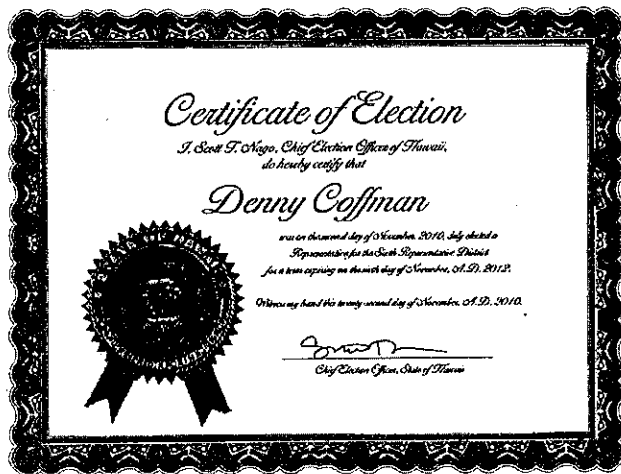
are duly qualified to sit as members of the House of Representatives as follows:

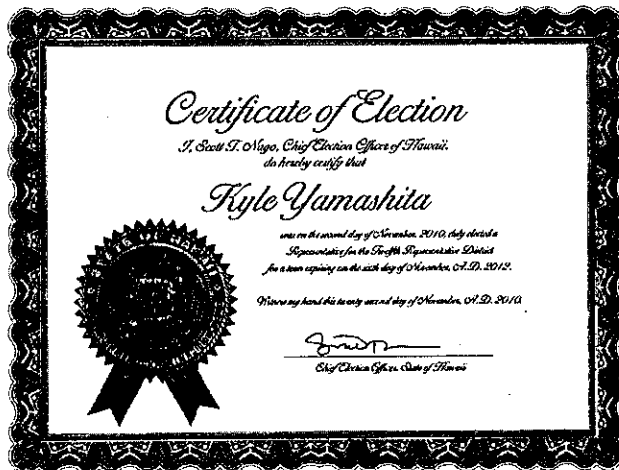
First District:	Mark M. Nakashima
Second District:	Jerry L. Chang
Third District:	Clift Tsuji
Fourth District:	Faye P. Hanohano
Fifth District:	Robert N. Herkes
Sixth District:	Denny Coffman
Seventh District:	Cindy Evans
Eighth District:	Joseph M. Souki
Ninth District:	Gilbert S.C. Keith-Agaran
Tenth District:	Angus L.K. McKelvey
Eleventh District:	George R. Fontaine
Twelfth District:	Kyle T. Yamashita
Thirteenth District:	Mele Carroll
Fourteenth District:	Hermine M. Morita
Fifteenth District:	James Kunane Tokioka
Sixteenth District:	Dee Morikawa
Seventeenth District:	Gene Ward
Eighteenth District:	Mark J. Hashem
Nineteenth District:	Barbara C. Marumoto
Twentieth District:	Calvin K.Y. Say
Twenty-First District:	Scott Y. Nishimoto
Twenty-Second District:	Scott K. Saiki
Twenty-Third District:	Tom Brower
Twenty-Fourth District:	Isaac W. Choy
Twenty-Fifth District:	Della Au Belatti
Twenty-Sixth District:	Sylvia Luke
Twenty-Seventh District:	Corinne W.L. Ching
Twenty-Eighth District:	Karl Rhoads
Twenty-Ninth District:	Joey Manahan

Thirtieth District:	John M. Mizuno
Thirty-First District:	Linda Ichiyama
Thirty-Second District:	Aaron Ling Johanson
Thirty-Third District:	Blake K. Oshiro
Thirty-Fourth District:	K. Mark Takai
Thirty-Fifth District:	Henry J.C. Aquino
Thirty-Sixth District:	Roy M. Takumi
Thirty-Seventh District:	Ryan I. Yamane
Thirty-Eight District:	Marilyn B. Lee
Thirty-Ninth District:	Marcus R. Oshiro
Fortieth District:	Sharon E. Har
Forty-First District:	Ty Cullen
Forty-Second District:	Rida T.R. Cabanilla
Forty-Third District:	Kymberly Marcos Pine
Forty-Fourth District:	Karen L. Awana
Forty-Fifth District:	(Vacant)
Forty-Sixth District:	Gil Riviere
Forty-Seventh District:	Jessica Wooley
Forty-Eighth District:	Ken Ito
Forty-Ninth District:	Pono Chong
Fiftieth District:	Cynthia Thielen
Fifty-First District:	Chris Lee"

The report was submitted by Representatives B. Oshiro, Ward and Choy, with the following Certificates of Election attached:

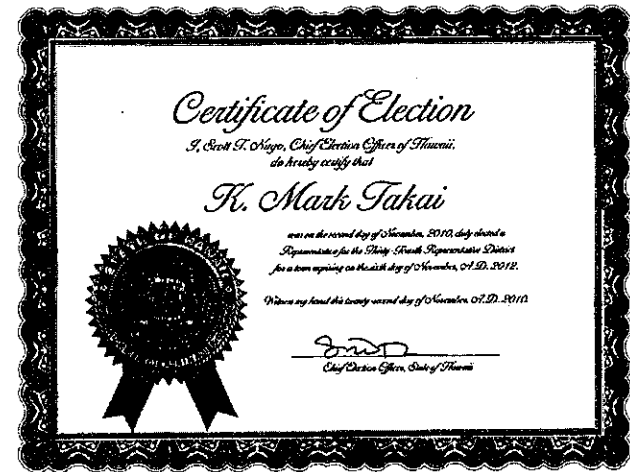
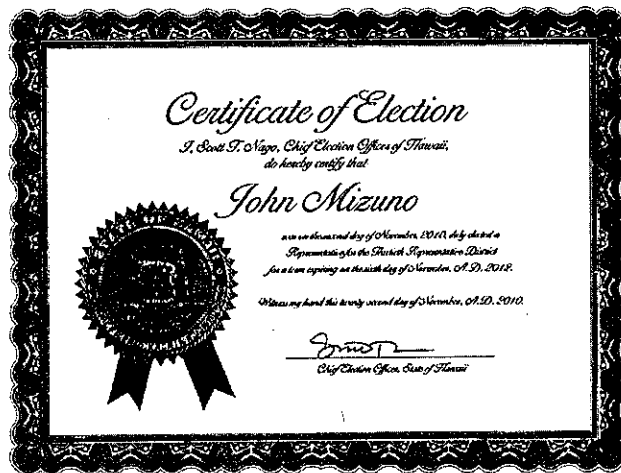


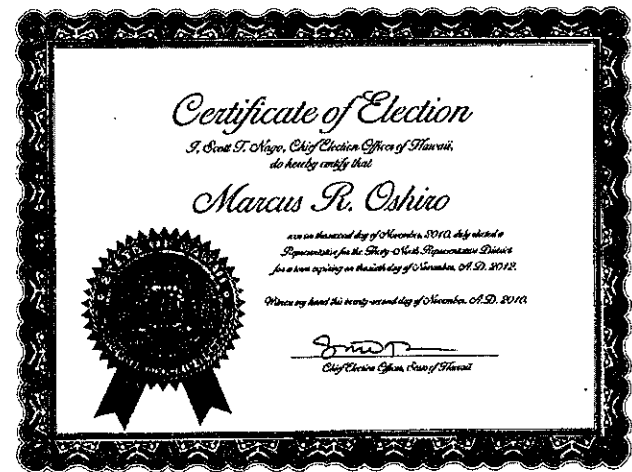


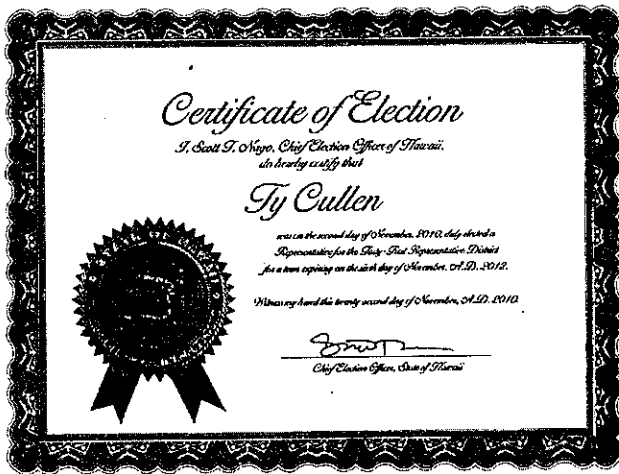




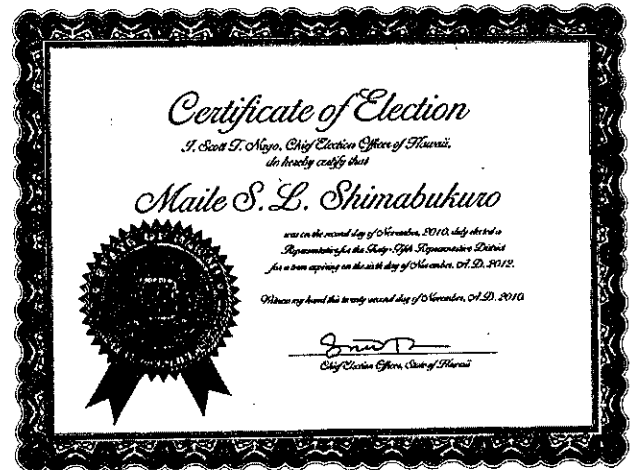








[Note: Maile S.L. Shimabukuro was elected to the House of Representatives, Forty-Fifth district, certified by the Office of Elections, later appointed to the Senate, and resigned from her House seat effective January 3, 2011.]





NEIL ABERCROMBIE
GOVERNOR

December 21, 2010

The Honorable Shan Tsutsui
Senate President
Hawaii State Senate
Twenty-Sixth Legislature
State Capitol, Room 409
Honolulu, HI 96813

Dear Senate President Tsutsui,

In accordance with the provisions of section 17-3(b)(2) of the Hawaii Revised Statutes, it is my honor to appoint Dr. Matama Solomon to fill the vacancy as the member from the First Senate District and Maile Shimabukuro to fill the vacancy as the member from the Twenty-First Senate District, Twenty-Sixth Legislature, State of Hawaii.

Sincerely,

Neil Abercrombie

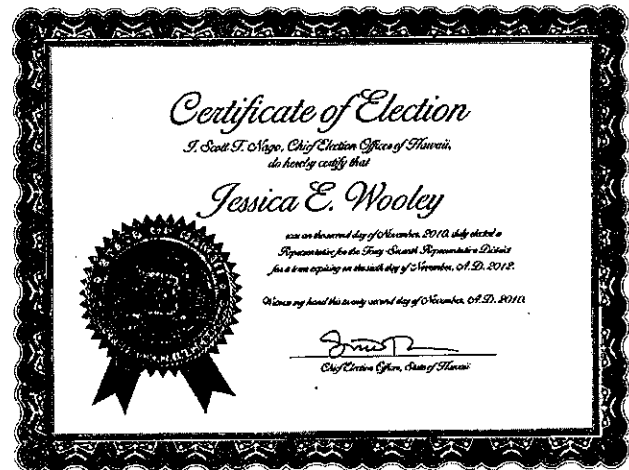
NEIL ABERCROMBIE
Governor, State of Hawaii

RECEIVED

2010 DEC 29 P 1:30

CHIEF CLERK'S OFFICE
HOUSE OF
REPRESENTATIVES

RECEIVED
STATE
OFFICE OF THE PRESIDENT
10 DEC 27 P 4:35



RECEIVED

2010 DEC 29 P 1:30

CHIEF CLERK'S OFFICE
HOUSE OF
REPRESENTATIVES

HOUSE OF REPRESENTATIVES

STATE OF HAWAII
STATE CAPITOL
HONOLULU, HAWAII 96813

2010 DEC 29 P 1:30
CHIEF CLERK'S OFFICE

December 28, 2010

Representative Calvin K. Y. Say
Speaker of the House
Hawaii State Capitol
Honolulu, Hawaii 96813

Dear Speaker Say:

I wish to inform you that I have accepted an appointment by Governor Neil Abercrombie to the Senate's 21st District, which became vacant with the election of Senator Colleen Hanabusa to the U. S. Congress. Therefore, I hereby notify you of my resignation from my House District 45 seat, effective January 3, 2011.

It has been a privilege for me to serve with you for the past eight years in the House of Representatives. I am grateful to you for your service as Speaker during my tenure, as well as the confidence you have shown by appointing me as Chair and Vice-Chair of key committees.

I am anxious to take on new challenges and responsibilities as I continue to represent my Waianae Coast constituents in the Senate. I know that the experience gained and relationships formed during my years in the House will stand me in good stead as I move to the other side of the Legislature. I also look forward to working closely with you and my former House colleagues as we enter a new year and a new legislative session.

My very best wishes to you, Mr. Speaker, for a happy and productive 2011!

Aloha,

Maile S. L. Shimabukuro
Maile S. L. Shimabukuro

c: clerks office

Representative Maile S.L. Shimabukuro, District 45
(Waianae-Mikaha-Mikou)
Vice Chair, Committee on Hawaiian Affairs
Member, Committees on Education, Higher Education, Health & Human Services
Hawaii State Capitol, Room 406, Honolulu, Hawaii 96813
Phone: (808) 586-8460/Fax: (808) 586-8464/Email: repshimabukuro@capitol.hawaii.gov



On motion by Representative B. Oshiro, seconded by Representative Ward and carried, the report of the Committee was adopted.

The Temporary Chair directed the Temporary Clerk to call the Roll, which being done disclosed that the following members were present: Representatives Henry J.C. Aquino, Karen L. Awana, Della Au Belatti, Tom Brower, Rida T.R. Cabanilla, Mele Carroll, Jerry L. Chang, Corinne W.L. Ching, Pono Chong, Isaac W. Choy, Denny Coffman, Ty Cullen, Cindy Evans, George R. Fontaine, Faye P. Hanohano, Sharon E. Har,

Mark J. Hashem, Robert N. Herkes, Linda Ichiyama, Ken Ito, Aaron Ling Johanson, Gilbert S.C. Keith-Agaran, Chris Lee, Marilyn B. Lee, Sylvia Luke, Joey Manahan, Barbara C. Marumoto, Angus L.K. McKelvey, John M. Mizuno, Dee Morikawa, Hermina M. Morita, Mark M. Nakashima, Scott Y. Nishimoto, Blake K. Oshiro, Marcus R. Oshiro, Kymberly Marcos Pine, Karl Rhoads, Gil Riviere, Scott K. Saiki, Calvin K.Y. Say, Joseph M. Souki, K. Mark Takai, Roy M. Takumi, Cynthia Thielen, James Kunane Tokioka, Clift Tsuji, Gene Ward, Jessica Wooley, Ryan I. Yamane and Kyle T. Yamashita, a total of fifty.

At 10:19 o'clock a.m., the Temporary Chair declared a recess, subject to the call of the Chair.

At this time, the Members of the House, their guests and audience were entertained by Moanalua String Ensemble - Moanalua High School Chamber Orchestra, directed by Mr. Elden Seta.

The House of Representatives reconvened at 10:39 o'clock a.m.

The Temporary Chair then appointed the Sergeant-at-Arms to escort the Honorable Mark E. Recktenwald, Chief Justice of the State of Hawaii, to the rostrum and requested that he administer the Oath of Office to the Members of the House.

OATH OF OFFICE

The Honorable Mark E. Recktenwald, Chief Justice of the State of Hawaii, called upon the Members of the House of Representatives who had been elected to serve in the Twenty-Sixth Legislature of the State of Hawaii to rise, and the oath office was administered in accordance with the provisions of the Constitution of the State of Hawaii, to the following Members of the House:

FIRST DISTRICT:
 Mark M. Nakashima

SECOND DISTRICT:
 Jerry L. Chang

THIRD DISTRICT:
 Clift Tsuji

FOURTH DISTRICT:
 Faye P. Hanohano

FIFTH DISTRICT:
 Robert N. Herkes

SIXTH DISTRICT:
 Denny Coffman

SEVENTH DISTRICT:
 Cindy Evans

EIGHTH DISTRICT:
 Joseph M. Souki

NINTH DISTRICT:
 Gilbert S. C. Keith-Agaran

TENTH DISTRICT:
 Angus L. K. McKelvey

ELEVENTH DISTRICT:
 George R. Fontaine

TWELFTH DISTRICT:
 Kyle T. Yamashita

THIRTEENTH DISTRICT:
 Mele Carroll

FOURTEENTH DISTRICT:
Hermína M. Morita

FIFTEENTH DISTRICT:
James Kunane Tokioka

SIXTEENTH DISTRICT:
Dee Morikawa

SEVENTEENTH DISTRICT:
Gene Ward

EIGHTEENTH DISTRICT:
Mark J. Hashem

NINETEENTH DISTRICT:
Barbara C. Marumoto

TWENTIETH DISTRICT:
Calvin K. Y. Say

TWENTY-FIRST DISTRICT:
Scott Y. Nishimoto

TWENTY-SECOND DISTRICT:
Scott K. Saiki

TWENTY-THIRD DISTRICT:
Tom Brower

TWENTY-FOURTH DISTRICT:
Isaac W. Choy

TWENTY-FIFTH DISTRICT:
Della Au Belatti

TWENTY-SIXTH DISTRICT:
Sylvia Luke

TWENTY-SEVENTH DISTRICT:
Corinne W. L. Ching

TWENTY-EIGHTH DISTRICT:
Karl Rhoads

TWENTY-NINTH DISTRICT:
Joey Manahan

THIRTIETH DISTRICT:
John M. Mizuno

THIRTY-FIRST DISTRICT:
Linda Ichiyama

THIRTY-SECOND DISTRICT:
Aaron Ling Johanson

THIRTY-THIRD DISTRICT:
Blake K. Oshiro

THIRTY-FOURTH DISTRICT:
K. Mark Takai

THIRTY-FIFTH DISTRICT:
Henry J. C. Aquino

THIRTY-SIXTH DISTRICT:
Roy M. Takumi

THIRTY-SEVENTH DISTRICT:
Ryan I. Yamane

THIRTY-EIGHTH DISTRICT:
Marilyn B. Lee

THIRTY-NINTH DISTRICT:
Marcus R. Oshiro

FORTIETH DISTRICT:
Sharon E. Har

FORTY-FIRST DISTRICT:
Ty Cullen

FORTY-SECOND DISTRICT:
Rida Cabanilla

FORTY-THIRD DISTRICT:
Kymberly Marcos Pine

FORTY-FOURTH DISTRICT:
Karen Leinani Awana

FORTY-FIFTH DISTRICT:
(Pending Appointment)

FORTY-SIXTH DISTRICT:
Gil Riviere

FORTY-SEVENTH DISTRICT:
Jessica Wooley

FORTY-EIGHTH DISTRICT:
Ken Ito

FORTY-NINTH DISTRICT:
Pono Chong

FIFTIETH DISTRICT:
Cynthia Thielen

FIFTY-FIRST DISTRICT:
Chris Lee

INTRODUCTIONS OF RESOLUTIONS

The following resolutions (H.C.R. Nos. 1 and 2) were read by the Temporary Clerk and were disposed of as follows:

H.C.R. No. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO RECESS DAYS FOR THE REGULAR SESSION OF 2011," was jointly offered by Representatives B. Oshiro and Ward.

On motion by Representative B. Oshiro, seconded by Representative Ward and carried, H.C.R. No. 1 was adopted.

H.C.R. No. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ADDRESS THE LEGISLATURE ASSEMBLED IN JOINT SESSION," was jointly offered by Representatives B. Oshiro and Ward.

On motion by Representative B. Oshiro, seconded by Representative Ward and carried, H.C.R. No. 2 was adopted.

At 10:43 o'clock a.m., the Temporary Chair declared a recess, subject to the call of the Chair.

At this time, the Members of the House, their guests and audience were entertained by Sean Na'auao and Friends.

The House of Representatives reconvened at 11:22 o'clock a.m.

At this time the Temporary Chair recognized special guests on the Floor:

The Honorable Governor Neil Abercrombie

Lt. Governor Brian Schatz and Mrs. Linda Schatz

Mayor Alan Arakawa, Maui County

Mr. Wallace Rezentes, Jr., Finance Director, Kauai County, representing Mayor Bernard P. Carvalho, Jr.

Council Member Breene Harimoto, City and County of Honolulu

Chief Justice Mark E. Recktenwald

Justice Paula Nakayama

Justice Simeon Acoba, Jr.

Justice James E. Duffy

Chair Collette Machado, Office of Hawaiian Affairs

Brigadier General Michael Keltz, Deputy Director of Operations, Plans, Requirements and Programs at Pacific Air Forces

Consul General David Binns, Consulate General of Australia

Consul General Yoshihiko Kamo, Consulate General of Japan

Consul General Bong Joo Kim, Consulate General of Korea

Honorary Consul Patricia Y. Lee, Dean of the Consular Corp of Hawaii

Director General Paul Chang, Taipei Economic and Cultural Office

Governor and Mrs. George Ariyoshi

Governor and Mrs. John Waihee

Governor and Mrs. Ben Cayetano

Governor Linda Lingle

The Temporary Chair then recognized Representative Blake Oshiro to deliver remarks on behalf of the Majority Caucus.

REMARKS DELIVERED: Rep. B. Oshiro

The Temporary Chair then recognized Representative Gene Ward to deliver remarks on behalf of the Minority Caucus.

REMARKS DELIVERED: Rep. Gene Ward

At this time, the Temporary Chair appointed the Sergeant-at-Arms to escort Reverend Eric Matsumoto of the Mo'ili'ili Hongwanji Mission to the rostrum.

Reverend Matsumoto then offered the benediction.

REMARKS DELIVERED: Rep. Nakashima

At 11:52 o'clock a.m. the Temporary Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 3:16 o'clock p.m.

REMARKS DELIVERED: Rep. Nakashima

At 3:17 o'clock p.m. the Temporary Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 4:39 o'clock p.m.

REMARKS DELIVERED: Rep. Nakashima

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 2 and 3) were read by the Clerk and disposed of as follows:

H.R. No. 3, entitled: "HOUSE RESOLUTION ELECTING THE OFFICERS OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-SIXTH LEGISLATURE," resolving that the following persons be elected as officers of the House: Patricia Mau-Shimizu, Chief Clerk; Kevin R. Kuroda, Sergeant-at-Arms; Brian Takeshita, Assistant Clerk; and Leonard Paresa, Jr., Assistant Sergeant-at-Arms, was jointly offered by Representatives B. Oshiro and Ward.

Representative Ward moved that H.R. No. 3 be adopted.

At 4:40 o'clock p.m. Representative B. Oshiro requested a recess, and the Temporary Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 4:40 o'clock p.m.

Representative B. Oshiro seconded the motion to adopt H.R. No. 3.

REMARKS DELIVERED: Rep. B. Oshiro
Rep. Pine

TO BE INSERTED: Rep. B. Oshiro
Rep. Pine
(Submit by Monday, January 24)

The motion was put to vote by the Chair and carried, and H.R. No. 3 was adopted.

Thereafter, the Temporary Chair administered the Oath of Office to the officers named.

H.R. No. 2, entitled: "HOUSE RESOLUTION ELECTING THE SPEAKER OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-SIXTH LEGISLATURE," electing the Honorable Calvin K.Y. Say, Representative from the Twentieth District, be elected as Speaker of the House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, was jointly offered by Representatives M. Oshiro and Choy.

Representative Takumi moved that H.R. No. 2 be adopted, seconded by Representative Ward.

REMARKS DELIVERED: Rep. Pine
Rep. M. Oshiro
Rep. Choy

TO BE INSERTED: Rep. M. Oshiro
Rep. Choy
(Submit by Monday, January 24)

The motion was put to vote by the Temporary Chair and carried, and H.R. No. 2 was adopted.

The Sergeant-at-Arms then escorted the newly elected Speaker to the rostrum, who was presented with the gavel.

REMARKS DELIVERED: Speaker Say

INTRODUCTION OF RESOLUTIONS

The following resolution (H.R. No. 4) was read by the Clerk and disposed of as follows:

H.R. No. 4, entitled: "HOUSE RESOLUTION SENDING MESSAGES THAT THE HOUSE OF REPRESENTATIVES OF THE TWENTY-SIXTH LEGISLATURE HAS ASSEMBLED AND IS READY TO

TRANSACT BUSINESS," was jointly offered by Representatives B. Oshiro and Ward.

On motion by Representative B. Oshiro, seconded by Representative Ward and carried, H.R. No. 4 was adopted.

ADJOURNMENT

At 4:56 o'clock p.m., on motion by Representative B. Oshiro, seconded by Representative Ward and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, January 20, 2011.